

By: 
Glasgow

S.J.R. No. 8

JOINT RESOLUTION

proposing a constitutional amendment to establish the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of legislators, the lieutenant governor, and the speaker of the house of representatives.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 24, of the Texas Constitution is amended to read as follows:

Sec. 24. Members of the Legislature shall receive from the Public Treasury a salary set by the Texas Elections and Ethics Commission and approved by the voters of this State [~~of Six-Hundred Dollars-(\$600)-per-month~~]. Each member shall also receive a per diem set by the Texas Elections and Ethics Commission and approved by the voters of this State [~~of Thirty-Dollars-(\$30)~~] for each day during each Regular and Special Session of the Legislature. No Regular Session shall be of longer duration than one hundred and forty (140) days.

In addition to the per diem the Members of each House shall be entitled to mileage at the same rate as prescribed by law for employees of the State of Texas. This amendment takes effect on January 1, 1993 [~~April-22, -1975~~].

SECTION 2. Article III of the Texas Constitution is amended by adding Section 24a to read as follows:

1 Sec. 24a. (a) The Texas Elections and Ethics Commission is
2 created as an agency of the State. The commission consists of
3 seven members. Two members are appointed by the Governor, two
4 members are appointed by the Lieutenant Governor, and two members
5 are appointed by the Speaker of the House of Representatives. The
6 Secretary of State serves ex officio as chairman of the commission.
7 The members are appointed without Senate confirmation. A person is
8 ineligible to serve as a member of the commission if the person is
9 an officer of the State, a political subdivision of the State, a
10 political party, or a political committee; a member of the
11 legislature; a candidate or campaign treasurer subject to Title 15,
12 Election Code; or a person required to be registered under Chapter
13 305, Government Code.

14 (b) With the exception of the initial appointees, each
15 member holds office for a term of four years and until his
16 successor is appointed and has qualified. Interim vacancies are
17 filled in the same manner as vacancies due to the expiration of a
18 full term, but interim appointees serve for the remainder of the
19 unexpired term only. No member may serve more than two terms,
20 including an unexpired term.

21 (c) The commission shall administer laws passed by the
22 Legislature regulating campaign finances and contribution and
23 expenditure disclosure, personal financial disclosures of public
24 officials, lobbying activity, Speaker of the House of
25 Representatives elections, and conflict of interest matters.

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1 (d)(1) The commission shall set the compensation and per
2 diem of Members of the Legislature and may set the salary of the
3 Speaker of the House of Representatives and the Lieutenant Governor
4 at an amount higher than that of other Members. The per diem shall
5 reflect reasonable estimates of costs and may be raised or lowered
6 biennially as necessary to pay those costs, but the per diem may
7 not exceed during a calendar year the amount allowed as of
8 January 1 of that year for federal income tax purposes as a
9 deduction for living expenses incurred in a legislative day by a
10 state legislator in connection with the legislator's business as a
11 legislator, disregarding any exception in federal law for
12 legislators residing near the Capitol.

13 (2) At the general election held on November 3, 1992,
14 and at each subsequent general election for state and county
15 officers following a proposed change in compensation, the voters
16 shall approve or disapprove the compensation set by the commission.
17 If the voters disapprove the compensation, the compensation shall
18 continue at the rate paid immediately prior to such disapproval
19 until another rate is set by the commission and approved by the
20 voters at a general election for state and county officers. If the
21 voters approve the compensation, the approved compensation takes
22 effect on January 1 of the next odd-numbered year.

23 (e) Each member of the commission shall be reimbursed for
24 actual and necessary expenses incurred in the performance of the
25 duties of the member and shall receive compensation for each day

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1 the member engages in the business of the commission in an amount
2 determined by the Legislature and specified in the General
3 Appropriations Act.

4 (f) The creation of the Texas Elections and Ethics
5 Commission shall not affect the powers or jurisdiction of the
6 Supreme Court of Texas or the Court of Criminal Appeals.

7 (g) The commission shall first set compensation and per diem
8 to take effect on January 1, 1993. Prior to January 1, 1993, the
9 compensation and per diem shall be in amounts prescribed by law on
10 January 1, 1991. This subsection expires January 1, 1994.

11 SECTION 3. Article IV, Section 17, of the Texas Constitution
12 is amended to read as follows:

13 Sec. 17. (a) If, during the vacancy in the office of
14 Governor, the Lieutenant Governor should die, resign, refuse to
15 serve, or be removed from office, or be unable to serve; or if he
16 shall be impeached or absent from the State, the President of the
17 Senate, for the time being, shall, in like manner, administer the
18 Government until he shall be superseded by a Governor or Lieutenant
19 Governor.

20 (b) The Lieutenant Governor shall receive the salary set for
21 the Lieutenant Governor by the Texas Elections and Ethics
22 Commission and approved by the voters as provided by Article III,
23 Section 24a, of this Constitution and, while he acts as President
24 of the Senate, shall receive for his services the same
25 [~~compensation-and~~] mileage which shall be allowed to the members of

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____.J.R. No. ____

1 the Senate, and no more; and during the time he administers the
2 Government, as Governor, he shall receive in like manner the same
3 compensation which the Governor would have received had he been
4 employed in the duties of his office, and no more. An increase in
5 the emoluments of the Lieutenant Governor does not make a member of
6 the Legislature ineligible for the office under Article III,
7 Section 18, of this Constitution.

8 (c) The President, for the time being, of the Senate, shall,
9 during the time he administers the Government, receive in like
10 manner the same compensation, which the Governor would have
11 received had he been employed in the duties of his office.

12 (d) Until January 1, 1993, the Lieutenant Governor shall
13 receive compensation in the amount prescribed by law on January 1,
14 1991. This subsection expires January 1, 1994.

15 SECTION 4. The constitutional amendment proposed by this
16 resolution shall be submitted to the voters at an election to be
17 held November 5, 1991. The ballot shall be printed to provide for
18 voting for or against the proposition: "The constitutional
19 amendment creating the Texas Elections and Ethics Commission
20 empowered to administer laws relating to elections and ethics, to
21 investigate violations thereof, to set compensation for members of
22 the legislature and the lieutenant governor, and to regulate the
23 election of the speaker of the house of representatives."

By: Glasgow S.J.R. No. 8
(In the Senate - Filed January 16, 1991; January 16, 1991,
read first time and referred to Committee on State Affairs;
February 26, 1991, reported adversely, with favorable Committee
Substitute by the following vote: Yeas 13, Nays 0;
February 26, 1991, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Glasgow	x			
Henderson	x			
Carriker	x			
Dickson	x			
Ellis	x			
Green	x			
Harris of Dallas	x			
Leedom	x			
Lucio	x			
Lyon	x			
Moncrief	x			
Rosson	x			
Whitmire	x			

COMMITTEE SUBSTITUTE FOR S.J.R. No. 8

By: Glasgow

SENATE JOINT RESOLUTION

proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 24a to read as follows:

Sec. 24a. (a) The Texas Ethics Commission is a state agency consisting of seven members. The governor, the lieutenant governor, and the speaker of the house of representatives shall each appoint two members from different political parties required by law to hold a primary election. The secretary of state serves ex officio as chairman of the commission. Commission members are appointed without senate confirmation.

(b) With the exception of the initial appointees, commission members serve for four-year terms. Each appointing official will make one initial appointment for a two-year term and one initial appointment for a four-year term. A vacancy on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment. A member who has served for one term and any part of a second term is not eligible for reappointment.

(c) The commission has the powers and duties provided by law.

(d) The commission may recommend the salary of the members of the legislature and may recommend that the salary of the speaker of the house of representatives and the lieutenant governor be set at an amount higher than that of other members. The commission shall set the per diem of members of the legislature and the lieutenant governor, and the per diem shall reflect reasonable estimates of costs and may be raised or lowered biennially as necessary to pay those costs, but the per diem may not exceed during a calendar year the amount allowed as of January 1 of that year for federal income tax purposes as a deduction for living expenses incurred in a legislative day by a state legislator in connection with the legislator's business as a legislator, disregarding any exception in federal law for legislators residing near the Capitol.

(e) At each general election for state and county officers following a proposed change in salary, the voters shall approve or disapprove the salary recommended by the commission if the

commission recommends a change in salary. If the voters disapprove the salary, the salary continues at the amount paid immediately before disapproval until another amount is recommended by the commission and approved by the voters. If the voters approve the salary, the approved salary takes effect January 1 of the next odd-numbered year.

SECTION 2. Article III, Section 24, of the Texas Constitution is amended to read as follows:

Sec. 24. (a) Members of the Legislature shall receive from the Public Treasury a salary of Six Hundred Dollars (\$600) per month, unless a greater amount is recommended by the Texas Ethics Commission and approved by the voters of this State in which case the salary is that amount. Each member shall also receive a per diem set by the Texas Ethics Commission [~~of Thirty Dollars (\$30)~~] for each day during each Regular and Special Session of the Legislature.

(b) No Regular Session shall be of longer duration than one hundred and forty (140) days.

(c) In addition to the per diem the Members of each House shall be entitled to mileage at the same rate as prescribed by law for employees of the State of Texas. [~~This amendment takes effect on April 22, 1975.~~]

SECTION 3. Article IV, Section 17, of the Texas Constitution is amended to read as follows:

Sec. 17. (a) If, during the vacancy in the office of Governor, the Lieutenant Governor should die, resign, refuse to serve, or be removed from office, or be unable to serve; or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the Government until he shall be superseded by a Governor or Lieutenant Governor.

(b) The Lieutenant Governor shall, while he acts as President of the Senate, receive for his services the same compensation and mileage which shall be allowed to the members of the Senate, and no more unless the Texas Ethics Commission recommends and the voters approve a higher salary in which case the salary is that amount; and during the time he administers the Government, as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more. An increase in the emoluments of the office of Lieutenant Governor does not make a member of the Legislature ineligible to serve in the office of Lieutenant Governor.

(c) The President, for the time being, of the Senate, shall, during the time he administers the Government, receive in like manner the same compensation, which the Governor would have received had he been employed in the duties of his office.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment creating the Texas Ethics Commission and authorizing the commission to recommend the salary for members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit."

* * * * *

Austin, Texas
February 26, 1991

Hon. Bob Bullock
President of the Senate

Sir:

We, your Committee on State Affairs to which was referred S.J.R. No. 8, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

Glasgow, Chairman

**FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON**

SB SCR (SJR) SR HB HCR HJR 8

By Glasgow
(Author/Senate Sponsor)

2 - - 91
(date of submission to Senate)

Lt. Governor Bob Bullock
President of the Senate

Sir:

We, your Committee on State Affairs, to which was referred the attached measure,
have on 2-25-91, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
 ☐ the caption remained the same as original measure
 ☐ the caption changed with adoption of the substitute
- ☐ do pass as substituted, and be ordered not printed
- ☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☐ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☐ no

Considered by subcommittee. ☒ yes ☐ no

The measure was reported from Committee by the following vote:

	YEA	NAY	AESSENT	PNV
Glasgow, Chairman	✓			
Henderson, Vice Chairman	✓			
Carriker	✓			
Dickson	✓			
Ellis	✓			
Green	✓			
Harris, O.H.	✓			
Leedom	✓			
Lucio	✓			
Lyon	✓			
Moncrief	✓			
Rosson	✓			
Whitmire	✓			
TOTAL VOTES	13	0	0	0

COMMITTEE ACTION

- ☒ S260 Considered in public hearing
☐ S270 Testimony taken

Leslie MacLean
COMMITTEE CLERK

Bob Glasgow
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Deliver one copy of this form to the Calendar Clerk, Room 218 Capitol
Deliver one copy of this form to the Legislative Reference Library, Room 207B Capitol
Retain one copy of this form for Committee files

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

January 30, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution No. 8
By: Glasgow

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of legislators, the lieutenant governor, and the speaker of the house of representatives) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment which, if adopted, would provide for the establishment of the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of state legislators, the lieutenant governor, and the speaker of the House of Representatives.

The fiscal impact of potential salary rate changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

By: Glasgow

S.J.R. No. 8

~~Substitute the following for S.J.R. No. 8:~~

By: _____

~~C.S.S.J.R. No. 8~~

SENATE JOINT RESOLUTION

proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 24a to read as follows:

Sec. 24a. (a) The Texas Ethics Commission is a state agency consisting of seven members. The governor, the lieutenant governor, and the speaker of the house of representatives shall each appoint two members from different political parties required by law to hold a primary election. The secretary of state serves ex officio as chairman of the commission. Commission members are appointed without senate confirmation.

(b) With the exception of the initial appointees, commission members serve for four-year terms. Each appointing official will make one initial appointment for a two-year term and one initial appointment for a four-year term. A vacancy on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment. A member who has served for one term and any part of a second term is not eligible for reappointment.

2-27-91

replaced by
Conference Cmte. Report

1 (c) The commission has the powers and duties provided by $\frac{1}{2}$
2 law.

3 (d) The commission may recommend the salary of the members
4 of the legislature and may recommend that the salary of the speaker
5 of the house of representatives and the lieutenant governor be set
6 at an amount higher than that of other members. The commission
7 shall set the per diem of members of the legislature and the
8 lieutenant governor, and the per diem shall reflect reasonable
9 estimates of costs and may be raised or lowered biennially as
10 necessary to pay those costs, but the per diem may not exceed
11 during a calendar year the amount allowed as of January 1 of that
12 year for federal income tax purposes as a deduction for living
13 expenses incurred in a legislative day by a state legislator in
14 connection with the legislator's business as a legislator,
15 disregarding any exception in federal law for legislators residing
16 near the Capitol.

17 (e) At each general election for state and county officers
18 following a proposed change in salary, the voters shall approve or
19 disapprove the salary recommended by the commission if the
20 commission recommends a change in salary. If the voters disapprove
21 the salary, the salary continues at the amount paid immediately
22 before disapproval until another amount is recommended by the
23 commission and approved by the voters. If the voters approve the
24 salary, the approved salary takes effect January 1 of the next
25 odd-numbered year.

SECTION 2. Article III, Section 24, of the Texas²/₃ Constitution is amended to read as follows:

Sec. 24. (a) Members of the Legislature shall receive from the Public Treasury a salary of Six Hundred Dollars (\$600) per month, unless a greater amount is recommended by the Texas Ethics Commission and approved by the voters of this State in which case the salary is that amount. Each member shall also receive a per diem set by the Texas Ethics Commission [~~of Thirty Dollars (\$30)~~] for each day during each Regular and Special Session of the Legislature.

(b) No Regular Session shall be of longer duration than one hundred and forty (140) days.

(c) In addition to the per diem the Members of each House shall be entitled to mileage at the same rate as prescribed by law for employees of the State of Texas. [~~This amendment takes effect on April 22, 1975.~~]

SECTION 3. Article IV, Section 17, of the Texas Constitution is amended to read as follows:

Sec. 17. (a) If, during the vacancy in the office of Governor, the Lieutenant Governor should die, resign, refuse to serve, or be removed from office, or be unable to serve; or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the Government until he shall be superseded by a Governor or Lieutenant Governor.

1 **(b)** The Lieutenant Governor shall, while he acts as ³/₄
2 President of the Senate, receive for his services the same
3 compensation and mileage which shall be allowed to the members of
4 the Senate, and no more unless the Texas Ethics Commission
5 recommends and the voters approve a higher salary in which case the
6 salary is that amount; and during the time he administers the
7 Government, as Governor, he shall receive in like manner the same
8 compensation which the Governor would have received had he been
9 employed in the duties of his office, and no more. An increase in
10 the emoluments of the office of Lieutenant Governor does not make a
11 member of the Legislature ineligible to serve in the office of
12 Lieutenant Governor.

13 **(c)** The President, for the time being, of the Senate, shall,
14 during the time he administers the Government, receive in like
15 manner the same compensation, which the Governor would have
16 received had he been employed in the duties of his office.

17 SECTION 4. This proposed constitutional amendment shall be
18 submitted to the voters at an election to be held November 5, 1991.
19 The ballot shall be printed to provide for voting for or against
20 the proposition: "The constitutional amendment creating the Texas
21 Ethics Commission and authorizing the commission to recommend the
22 salary for members of the legislature and the lieutenant governor,
23 subject to voter approval, and to set the per diem for those
24 officials, subject to a limit."

Feb. 27 1991 Engrossed

Letsy Spaw
Engrossing Clerk

I certify that the attached is a true and correct
copy of SSR 8, which was
received from the Senate on FEB 28 1991 and
referred to the Committee on State Affairs

Betty Murren
Chief Clerk of the House

By: Glasgow
(Gibson)

S.J.R. No. 8

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment to establish the Texas Ethics
2 Commission and to authorize the commission to recommend the salary
3 of members of the legislature and the lieutenant governor, subject
4 to voter approval, and to set the per diem for those officials,
5 subject to a limit.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Article III of the Texas Constitution is amended
8 by adding Section 24a to read as follows:

9 Sec. 24a. (a) The Texas Ethics Commission is a state agency
10 consisting of seven members. The governor, the lieutenant
11 governor, and the speaker of the house of representatives shall
12 each appoint two members from different political parties required
13 by law to hold a primary election. The secretary of state serves
14 ex officio as chairman of the commission. Commission members are
15 appointed without senate confirmation.

16 (b) With the exception of the initial appointees, commission
17 members serve for four-year terms. Each appointing official will
18 make one initial appointment for a two-year term and one initial
19 appointment for a four-year term. A vacancy on the commission
20 shall be filled for the unexpired portion of the term in the same
21 manner as the original appointment. A member who has served for
22 one term and any part of a second term is not eligible for
23 reappointment.

24 (c) The commission has the powers and duties provided by

1 law.

2 (d) The commission may recommend the salary of the members
3 of the legislature and may recommend that the salary of the speaker
4 of the house of representatives and the lieutenant governor be set
5 at an amount higher than that of other members. The commission
6 shall set the per diem of members of the legislature and the
7 lieutenant governor, and the per diem shall reflect reasonable
8 estimates of costs and may be raised or lowered biennially as
9 necessary to pay those costs, but the per diem may not exceed
10 during a calendar year the amount allowed as of January 1 of that
11 year for federal income tax purposes as a deduction for living
12 expenses incurred in a legislative day by a state legislator in
13 connection with the legislator's business as a legislator,
14 disregarding any exception in federal law for legislators residing
15 near the Capitol.

16 (e) At each general election for state and county officers
17 following a proposed change in salary, the voters shall approve or
18 disapprove the salary recommended by the commission if the
19 commission recommends a change in salary. If the voters disapprove
20 the salary, the salary continues at the amount paid immediately
21 before disapproval until another amount is recommended by the
22 commission and approved by the voters. If the voters approve the
23 salary, the approved salary takes effect January 1 of the next
24 odd-numbered year.

25 SECTION 2. Article III, Section 24, of the Texas

1 Constitution is amended to read as follows:

2 Sec. 24. (a) Members of the Legislature shall receive from
3 the Public Treasury a salary of Six Hundred Dollars (\$600) per
4 month, unless a greater amount is recommended by the Texas Ethics
5 Commission and approved by the voters of this State in which case
6 the salary is that amount. Each member shall also receive a per
7 diem set by the Texas Ethics Commission [~~of Thirty Dollars (\$30)~~]
8 for each day during each Regular and Special Session of the
9 Legislature.

10 (b) No Regular Session shall be of longer duration than one
11 hundred and forty (140) days.

12 (c) In addition to the per diem the Members of each House
13 shall be entitled to mileage at the same rate as prescribed by law
14 for employees of the State of Texas. [~~This amendment takes effect~~
15 ~~on April 22, 1975.~~]

16 SECTION 3. Article IV, Section 17, of the Texas Constitution
17 is amended to read as follows:

18 Sec. 17. (a) If, during the vacancy in the office of
19 Governor, the Lieutenant Governor should die, resign, refuse to
20 serve, or be removed from office, or be unable to serve; or if he
21 shall be impeached or absent from the State, the President of the
22 Senate, for the time being, shall, in like manner, administer the
23 Government until he shall be superseded by a Governor or Lieutenant
24 Governor.

25 (b) The Lieutenant Governor shall, while he acts as

1 President of the Senate, receive for his services the same
2 compensation and mileage which shall be allowed to the members of
3 the Senate, and no more unless the Texas Ethics Commission
4 recommends and the voters approve a higher salary in which case the
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6 Government, as Governor, he shall receive in like manner the same
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8 employed in the duties of his office, and no more. An increase in
9 the emoluments of the office of Lieutenant Governor does not make a
10 member of the Legislature ineligible to serve in the office of
11 Lieutenant Governor.

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13 during the time he administers the Government, receive in like
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16 SECTION 4. This proposed constitutional amendment shall be
17 submitted to the voters at an election to be held November 5, 1991.
18 The ballot shall be printed to provide for voting for or against
19 the proposition: "The constitutional amendment creating the Texas
20 Ethics Commission and authorizing the commission to recommend the
21 salary for members of the legislature and the lieutenant governor,
22 subject to voter approval, and to set the per diem for those
23 officials, subject to a limit."

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

February 27, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Committee Substitute for
Senate Joint Resolution No. 8

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would provide for the creation of the Texas Ethics Commission. The commission would have the powers and duties provided by law, would make recommendations for salaries of members of the Legislature and the Lieutenant Governor, and shall set the per diem for members of the Legislature and the Lieutenant Governor, subject to a limit.

The resolution could be implemented by Senate Bill No. 1 or similar legislation.

The fiscal implications of potential salary rate changes and per diem changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

January 30, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution No. 8
By: Glasgow

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of legislators, the lieutenant governor, and the speaker of the house of representatives) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment which, if adopted, would provide for the establishment of the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of state legislators, the lieutenant governor, and the speaker of the House of Representatives.

The fiscal impact of potential salary rate changes cannot be determined.

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Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

HOUSE COMMITTEE REPORT

91 MAY 22 PM 9:04
HOUSE OF REPRESENTATIVES

1st Printing

By: Glasgow
(Gibson)

S.J.R. No. 8

SENATE JOINT RESOLUTION

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23 reappointment.

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2 (d) The commission may recommend the salary of the members
3 of the legislature and may recommend that the salary of the speaker
4 of the house of representatives and the lieutenant governor be set
5 at an amount higher than that of other members. The commission
6 shall set the per diem of members of the legislature and the
7 lieutenant governor, and the per diem shall reflect reasonable
8 estimates of costs and may be raised or lowered biennially as
9 necessary to pay those costs, but the per diem may not exceed
10 during a calendar year the amount allowed as of January 1 of that
11 year for federal income tax purposes as a deduction for living
12 expenses incurred in a legislative day by a state legislator in
13 connection with the legislator's business as a legislator,
14 disregarding any exception in federal law for legislators residing
15 near the Capitol.

16 (e) At each general election for state and county officers
17 following a proposed change in salary, the voters shall approve or
18 disapprove the salary recommended by the commission if the
19 commission recommends a change in salary. If the voters disapprove
20 the salary, the salary continues at the amount paid immediately
21 before disapproval until another amount is recommended by the
22 commission and approved by the voters. If the voters approve the
23 salary, the approved salary takes effect January 1 of the next
24 odd-numbered year.

25 SECTION 2. Article III, Section 24, of the Texas

1 Constitution is amended to read as follows:

2 Sec. 24. (a) Members of the Legislature shall receive from
3 the Public Treasury a salary of Six Hundred Dollars (\$600) per
4 month, unless a greater amount is recommended by the Texas Ethics
5 Commission and approved by the voters of this State in which case
6 the salary is that amount. Each member shall also receive a per
7 diem set by the Texas Ethics Commission [~~of Thirty Dollars (\$30)~~]
8 for each day during each Regular and Special Session of the
9 Legislature.

10 (b) No Regular Session shall be of longer duration than one
11 hundred and forty (140) days.

12 (c) In addition to the per diem the Members of each House
13 shall be entitled to mileage at the same rate as prescribed by law
14 for employees of the State of Texas. [~~This amendment takes effect~~
15 ~~on April 22, 1975.~~]

16 SECTION 3. Article IV, Section 17, of the Texas Constitution
17 is amended to read as follows:

18 Sec. 17. (a) If, during the vacancy in the office of
19 Governor, the Lieutenant Governor should die, resign, refuse to
20 serve, or be removed from office, or be unable to serve; or if he
21 shall be impeached or absent from the State, the President of the
22 Senate, for the time being, shall, in like manner, administer the
23 Government until he shall be superseded by a Governor or Lieutenant
24 Governor.

25 (b) The Lieutenant Governor shall, while he acts as

1 President of the Senate, receive for his services the same
2 compensation and mileage which shall be allowed to the members of
3 the Senate, and no more unless the Texas Ethics Commission
4 recommends and the voters approve a higher salary in which case the
5 salary is that amount; and during the time he administers the
6 Government, as Governor, he shall receive in like manner the same
7 compensation which the Governor would have received had he been
8 employed in the duties of his office, and no more. An increase in
9 the emoluments of the office of Lieutenant Governor does not make a
10 member of the Legislature ineligible to serve in the office of
11 Lieutenant Governor.

12 (c) The President, for the time being, of the Senate, shall,
13 during the time he administers the Government, receive in like
14 manner the same compensation, which the Governor would have
15 received had he been employed in the duties of his office.

16 SECTION 4. This proposed constitutional amendment shall be
17 submitted to the voters at an election to be held November 5, 1991.
18 The ballot shall be printed to provide for voting for or against
19 the proposition: "The constitutional amendment creating the Texas
20 Ethics Commission and authorizing the commission to recommend the
21 salary for members of the legislature and the lieutenant governor,
22 subject to voter approval, and to set the per diem for those
23 officials, subject to a limit."

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

5-21-91
(date)

Sir:
We, your COMMITTEE ON STATE AFFAIRS,
to whom was referred SJR 8 have had the same under consideration and beg to report
(measure)

back with the recommendation that it
(✓) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
A fiscal note was requested. (✓) yes () no An author's fiscal statement was requested. () yes (✓) no
A criminal justice policy impact statement was requested. () yes (✓) no
An equalized educational funding impact statement was requested. () yes (✓) no
An actuarial analysis was requested. () yes (✓) no
A water development policy impact statement was requested. () yes (✓) no
A federal funds impact statement was requested. () yes (✓) no
() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.
This measure () proposes new law. (✓) amends existing law.
House Sponsor of Senate Measure Gibson

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Laney, Ch.	✓			
Seidlits, V.C.	✓			
Bomer, C.B.O.				✓
Cain				✓
Crawford	✓			
Danburg	✓			
Eckels				✓
Gibson	✓			
Jones	✓			
Marchant	✓			
Oakley				✓
Perez				✓
Saunders				✓

Total 7
 0 aye
 0 nay
 0 present, not voting
 6 absent

[Signature]
CHAIRMAN
[Signature]
COMMITTEE COORDINATOR

BILL ANALYSIS

BACKGROUND

The State Ethics Advisory Commission was established by the 68th Texas Legislature in 1983 to issue advisory opinions.

PURPOSE

To require a constitutional amendment to create the Texas Elections and Ethics Commission and provide for its duties.

SECTION BY SECTION ANALYSIS

SECTION 1 Amends Article III of the Texas Constitution by adding Section 24a, which provides for the Texas Ethics Commission and its powers and duties, including the setting of the per diem of members of the legislature and the lieutenant governor, which shall be approved or disapproved by the voters.

SECTION 2 Amends Article III, Section 24, of the Texas Constitution which provides for a greater per diem amount to be set by the Texas Ethics Commission than \$600 per month. Deletes unnecessary language and reletters.

SECTION 3 Amends Article IV, Section 17, of the Texas Constitution, which provides that the Texas Ethics Commission may recommend a higher salary for the Lt. Governor. Provides that an increase in the emoluments of the office of Lieutenant Governor does not make a member of the Legislature ineligible to serve in the office of the Lieutenant Governor. Reletters the section.

SECTION 4 Ballot Language.

Rulemaking Authority

It is the opinion of this committee that this bill delegates no additional rulemaking authority to any state officer, agency, department, or institution.

SUMMARY OF COMMITTEE ACTION

The Committee on State Affairs met in a public hearing on April 8, 1991 to consider S.J.R. 8. Testimony was received. S.J.R. 8 was referred to subcommittee. The Subcommittee on Ethics met in a public hearing on April 24, 1991 to consider S.J.R. 8. Testimony was received. S.J.R. 8 was left pending in the subcommittee. Pursuant to an announcement from the floor of the House, the Committee on State Affairs met in a formal meeting on May 21, 1991. By motion of the Chair and without objection S.J.R. 8 was recalled from subcommittee. The Chair laid out S.J.R. 8. A motion to report S.J.R. 8 to the full House without amendment and with the recommendation it do pass, prevailed by a record vote of 7 Ayes, 0 Nays, 0 PNV, and 6 Absent.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

April 3, 1991

TO: Honorable Pete Laney, Chair
Committee on State Affairs
House of Representatives
Austin, Texas

IN RE: Senate Joint Resolution No. 8,
as engrossed
By: Glasgow

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8, as engrossed (proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would provide for the creation of the Texas Ethics Commission. The commission would have the powers and duties provided by law, would make recommendations for salaries of members of the Legislature and the Lieutenant Governor, and shall set the per diem for members of the Legislature and the Lieutenant Governor, subject to a limit.

The resolution could be implemented by Senate Bill No. 1 or similar legislation.

The fiscal implications of potential salary rate changes and per diem changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, LC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

February 27, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Committee Substitute for
Senate Joint Resolution No. 8

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would provide for the creation of the Texas Ethics Commission. The commission would have the powers and duties provided by law, would make recommendations for salaries of members of the Legislature and the Lieutenant Governor, and shall set the per diem for members of the Legislature and the Lieutenant Governor, subject to a limit.

The resolution could be implemented by Senate Bill No. 1 or similar legislation.

The fiscal implications of potential salary rate changes and per diem changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE

January 30, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution No. 8
By: Glasgow

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of legislators, the lieutenant governor, and the speaker of the house of representatives) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment which, if adopted, would provide for the establishment of the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of state legislators, the lieutenant governor, and the speaker of the House of Representatives.

The fiscal impact of potential salary rate changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

ADOPTED

MAY 27 1991

AMENDMENT NO. 1

Betty Murray
Chief Clerk
House of Representatives

BY Crawford

Amend S.J.R. No. 8 by striking all below the resolving clause and substituting the following:

SECTION 1. Article III of the Texas Constitution, is amended by adding Section 24a read as follows:

Sec. 24a. (a) The Texas Ethics Commission is a state agency consisting of the following eight members:

(1) two members of different political parties appointed by the governor from a list of at least 10 names submitted by the members of the house of representatives from each political party required by law to hold a primary;

(2) two members of different political parties appointed by the governor from a list of at least 10 names submitted by the members of the senate from each political party required by law to hold a primary;

(3) two members of different political parties appointed by the speaker of the house of representatives from a list of at least 10 names submitted by the members of the house from each political party required by law to hold a primary; and

(4) two members of different political parties appointed by the lieutenant governor from a list of at least 10 names submitted by the members of the senate from each political party required by law to hold a primary.

(b) The members of the commission shall elect annually the chairman of the commission.

(c) With the exception of the initial appointees, commission members serve for four-year terms. Each appointing official will make one initial appointment for a two-year term and one initial appointment for a four-year term. A vacancy on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment. A member who has served for one term and any part of a second term is not eligible for reappointment.

(d) The commission has the powers and duties provided by law.

1 (e) The commission may recommend the salary of the members
2 of the legislature and may recommend that the salary of the speaker
3 of the house of representatives and the lieutenant governor be set
4 at an amount higher than that of other members. The commission
5 shall set the per diem of members of the legislature and the
6 lieutenant governor, and the per diem shall reflect reasonable
7 estimates of costs and may be raised or lowered biennially as
8 necessary to pay those costs, but the per diem may not exceed
9 during a calendar year the amount allowed as of January 1 of that
10 year for federal income tax purposes as a deduction for living
11 expenses incurred in a legislative day by a state legislator in
12 connection with the legislator's business as a legislator,
13 disregarding any exception in federal law for legislators residing
14 near the Capitol.

15 (f) At each general election for state and county officers
16 following a proposed change in salary, the voters shall approve or
17 disapprove the salary recommended by the commission if the
18 commission recommends a change in salary. If the voters disapprove
19 the salary, the salary continues at the amount paid immediately
20 before disapproval until another amount is recommended by the
21 commission and approved by the voters. If the voters approve the
22 salary, the approved salary takes effect January 1 of the next
23 odd-numbered year.

24 SECTION 2. Article III, Section 24, of the Texas
25 Constitution is amended to read as follows:

26 Sec. 24. (a) Members of the Legislature shall receive from

1 the Public Treasury a salary of Six Hundred Dollars (\$600) per
2 month, unless a greater amount is recommended by the Texas Ethics
3 Commission and approved by the voters of this State in which case
4 the salary is that amount. Each member shall also receive a per
5 diem set by the Texas Ethics Commission [~~of Thirty Dollars (\$30)~~]
6 for each day during each Regular and Special Session of the
7 Legislature.

8 (b) No Regular Session shall be of longer duration than one
9 hundred and forty (140) days.

10 (c) In addition to the per diem the Members of each House
11 shall be entitled to mileage at the same rate as prescribed by law
12 for employees of the State of Texas. [~~This amendment takes effect~~
13 ~~on April 22, 1975.~~]

14 SECTION 3. Article IV, Section 17, of the Texas Constitution
15 is amended to read as follows:

16 Sec. 17. (a) If, during the vacancy in the office of
17 Governor, the Lieutenant Governor should die, resign, refuse to
18 serve, or be removed from office, or be unable to serve; or if he
19 shall be impeached or absent from the State, the President of the
20 Senate, for the time being, shall, in like manner, administer the
21 Government until he shall be superseded by a Governor or Lieutenant
22 Governor.

23 (b) The Lieutenant Governor shall, while he acts as
24 President of the Senate, receive for his services the same
25 compensation and mileage which shall be allowed to the members of
26 the Senate, and no more unless the Texas Ethics Commission

1 recommends and the voters approve a higher salary in which case the
2 salary is that amount; and during the time he administers the
3 Government, as Governor, he shall receive in like manner the same
4 compensation which the Governor would have received had he been
5 employed in the duties of his office, and no more. An increase in
6 the emoluments of the office of Lieutenant Governor does not make a
7 member of the Legislature ineligible to serve in the office of
8 Lieutenant Governor.

9 (c) The President, for the time being, of the Senate, shall,
10 during the time he administers the Government, receive in like
11 manner the same compensation, which the Governor would have
12 received had he been employed in the duties of his office.

13 SECTION 4. This proposed constitutional amendment shall be
14 submitted to the voters at an election to be held November 5, 1991.
15 The ballot shall be printed to provide for voting for or against
16 the proposition: "The constitutional amendment creating the Texas
17 Ethics Commission and authorizing the commission to recommend the
18 salary for members of the legislature and the lieutenant governor,
19 subject to voter approval, and to set the per diem for those
20 officials, subject to a limit."

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

Date

ADOPTED

30 years May
MAY 27 1991

Harry Ling
Secretary of the Senate

Honorable Bob Bullock
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on _____ have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

On the part of the Senate

On the part of the House

Note to Conference Committee Clerk:

Please type the name of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. Three copies are then filed in the Senate and three copies filed in the House of Representatives.

MAY 27 1991 *Read & filed 11:43P*

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

Honorable Bob Bullock
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

RESOLUTION TO SUSPEND ALL NECESSARY RULES IN
ORDER TO TAKE UP AND CONSIDER AT THIS TIME
CW PREVAILED BY NON-RECORD VOTE.

Date

ADOPTED

MAY 27 1991

Betty Murray
Chief Clerk
House of Representatives

*by a
record vote
of
147 yeas
0 nays
1 pnv*

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on _____ have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

On the part of the Senate

On the part of the House

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SENATE JOINT RESOLUTION

proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 24a to read as follows:

Sec. 24a. (a) The Texas Ethics Commission is a state agency consisting of the following eight members:

(1) two members of different political parties appointed by the governor from a list of at least 10 names submitted by the members of the house of representatives from each political party required by law to hold a primary;

(2) two members of different political parties appointed by the governor from a list of at least 10 names submitted by the members of the senate from each political party required by law to hold a primary;

(3) two members of different political parties appointed by the speaker of the house of representatives from a list of at least 10 names submitted by the members of the house from each political party required by law to hold a primary; and

(4) two members of different political parties appointed by the lieutenant governor from a list of at least 10 names submitted by the members of the senate from each political party required by law to hold a primary.

(b) The governor may reject all names on any list submitted under Subsection (a)(1) or (2) of this section and require a new list to be submitted. The members of the commission shall elect annually the chairman of the commission.

(c) With the exception of the initial appointees, commission members serve for four-year terms. Each appointing official will make one initial appointment for a two-year term and one initial appointment for a four-year term. A vacancy on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment. A member who has served for one term and any part of a second term is not eligible for reappointment.

(d) The commission has the powers and duties provided by law.

1 (e) The commission may recommend the salary of the members
2 of the legislature and may recommend that the salary of the speaker
3 of the house of representatives and the lieutenant governor be set
4 at an amount higher than that of other members. The commission
5 shall set the per diem of members of the legislature and the
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8 necessary to pay those costs, but the per diem may not exceed
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10 year for federal income tax purposes as a deduction for living
11 expenses incurred in a legislative day by a state legislator in
12 connection with the legislator's business as a legislator,
13 disregarding any exception in federal law for legislators residing
14 near the Capitol.

15 (f) At each general election for state and county officers
16 following a proposed change in salary, the voters shall approve or
17 disapprove the salary recommended by the commission if the
18 commission recommends a change in salary. If the voters disapprove
19 the salary, the salary continues at the amount paid immediately
20 before disapproval until another amount is recommended by the
21 commission and approved by the voters. If the voters approve the
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23 odd-numbered year.

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25 Constitution is amended to read as follows:

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1 the Public Treasury a salary of Six Hundred Dollars (\$600) per
2 month, unless a greater amount is recommended by the Texas Ethics
3 Commission and approved by the voters of this State in which case
4 the salary is that amount. Each member shall also receive a per
5 diem set by the Texas Ethics Commission [~~of Thirty Dollars (\$30)~~]
6 for each day during each Regular and Special Session of the
7 Legislature.

8 (b) No Regular Session shall be of longer duration than one
9 hundred and forty (140) days.

10 (c) In addition to the per diem the Members of each House
11 shall be entitled to mileage at the same rate as prescribed by law
12 for employees of the State of Texas. [~~This amendment takes effect~~
13 ~~on April 22, 1975~~]

14 SECTION 3. Article IV, Section 17, of the Texas Constitution
15 is amended to read as follows:

16 Sec. 17. (a) If, during the vacancy in the office of
17 Governor, the Lieutenant Governor should die, resign, refuse to
18 serve, or be removed from office, or be unable to serve; or if he
19 shall be impeached or absent from the State, the President of the
20 Senate, for the time being, shall, in like manner, administer the
21 Government until he shall be superseded by a Governor or Lieutenant
22 Governor.

23 (b) The Lieutenant Governor shall, while he acts as
24 President of the Senate, receive for his services the same
25 compensation and mileage which shall be allowed to the members of
26 the Senate, and no more unless the Texas Ethics Commission

1 recommends and the voters approve a higher salary in which case the
2 salary is that amount; and during the time he administers the
3 Government, as Governor, he shall receive in like manner the same
4 compensation which the Governor would have received had he been
5 employed in the duties of his office, and no more. An increase in
6 the emoluments of the office of Lieutenant Governor does not make a
7 member of the Legislature ineligible to serve in the office of
8 Lieutenant Governor.

9 (c) The President, for the time being, of the Senate, shall,
10 during the time he administers the Government, receive in like
11 manner the same compensation, which the Governor would have
12 received had he been employed in the duties of his office.

13 SECTION 4. This proposed constitutional amendment shall be
14 submitted to the voters at an election to be held November 5, 1991.
15 The ballot shall be printed to provide for voting for or against
16 the proposition: "The constitutional amendment creating the Texas
17 Ethics Commission and authorizing the commission to recommend the
18 salary for members of the legislature and the lieutenant governor,
19 subject to voter approval, and to set the per diem for those
20 officials, subject to a limit."

Enrolled May 27, 1991
Ruby Spaw
Enrolling Clerk

S.J.R. No. 8

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment to establish the Texas Ethics
2 Commission and to authorize the commission to recommend the salary
3 of members of the legislature and the lieutenant governor, subject
4 to voter approval, and to set the per diem for those officials,
5 subject to a limit.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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14 political party required by law to hold a primary;

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16 appointed by the governor from a list of at least 10 names
17 submitted by the members of the senate from each political party
18 required by law to hold a primary;

19 (3) two members of different political parties
20 appointed by the speaker of the house of representatives from a
21 list of at least 10 names submitted by the members of the house
22 from each political party required by law to hold a primary; and

23 (4) two members of different political parties
24 appointed by the lieutenant governor from a list of at least 10

1 names submitted by the members of the senate from each political
2 party required by law to hold a primary.

3 (b) The governor may reject all names on any list submitted
4 under Subsection (a)(1) or (2) of this section and require a new
5 list to be submitted. The members of the commission shall elect
6 annually the chairman of the commission.

7 (c) With the exception of the initial appointees, commission
8 members serve for four-year terms. Each appointing official will
9 make one initial appointment for a two-year term and one initial
10 appointment for a four-year term. A vacancy on the commission
11 shall be filled for the unexpired portion of the term in the same
12 manner as the original appointment. A member who has served for
13 one term and any part of a second term is not eligible for
14 reappointment.

15 (d) The commission has the powers and duties provided by
16 law.

17 (e) The commission may recommend the salary of the members
18 of the legislature and may recommend that the salary of the speaker
19 of the house of representatives and the lieutenant governor be set
20 at an amount higher than that of other members. The commission
21 shall set the per diem of members of the legislature and the
22 lieutenant governor, and the per diem shall reflect reasonable
23 estimates of costs and may be raised or lowered biennially as
24 necessary to pay those costs, but the per diem may not exceed
25 during a calendar year the amount allowed as of January 1 of that

year for federal income tax purposes as a deduction for living expenses incurred in a legislative day by a state legislator in connection with the legislator's business as a legislator, disregarding any exception in federal law for legislators residing near the Capitol.

(f) At each general election for state and county officers following a proposed change in salary, the voters shall approve or disapprove the salary recommended by the commission if the commission recommends a change in salary. If the voters disapprove the salary, the salary continues at the amount paid immediately before disapproval until another amount is recommended by the commission and approved by the voters. If the voters approve the salary, the approved salary takes effect January 1 of the next odd-numbered year.

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Sec. 24. (a) Members of the Legislature shall receive from the Public Treasury a salary of Six Hundred Dollars (\$600) per month, unless a greater amount is recommended by the Texas Ethics Commission and approved by the voters of this State in which case the salary is that amount. Each member shall also receive a per diem set by the Texas Ethics Commission [~~of Thirty--Dollars--(\$30)~~] for each day during each Regular and Special Session of the Legislature.

(b) No Regular Session shall be of longer duration than one

1 hundred and forty (140) days.

2 (c) In addition to the per diem the Members of each House
3 shall be entitled to mileage at the same rate as prescribed by law
4 for employees of the State of Texas. [~~This amendment takes effect~~
5 ~~on April 22, 1975.~~]

6 SECTION 3. Article IV, Section 17, of the Texas Constitution
7 is amended to read as follows:

8 Sec. 17. (a) If, during the vacancy in the office of
9 Governor, the Lieutenant Governor should die, resign, refuse to
10 serve, or be removed from office, or be unable to serve; or if he
11 shall be impeached or absent from the State, the President of the
12 Senate, for the time being, shall, in like manner, administer the
13 Government until he shall be superseded by a Governor or Lieutenant
14 Governor.

15 (b) The Lieutenant Governor shall, while he acts as
16 President of the Senate, receive for his services the same
17 compensation and mileage which shall be allowed to the members of
18 the Senate, and no more unless the Texas Ethics Commission
19 recommends and the voters approve a higher salary in which case the
20 salary is that amount; and during the time he administers the
21 Government, as Governor, he shall receive in like manner the same
22 compensation which the Governor would have received had he been
23 employed in the duties of his office, and no more. An increase in
24 the emoluments of the office of Lieutenant Governor does not make a
25 member of the Legislature ineligible to serve in the office of

9/11
ell
8/10

S.J.R. No. 8

1 Lieutenant Governor.

2 (c) The President, for the time being, of the Senate, shall,
3 during the time he administers the Government, receive in like
4 manner the same compensation, which the Governor would have
5 received had he been employed in the duties of his office.

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7 submitted to the voters at an election to be held November 5, 1991.
8 The ballot shall be printed to provide for voting for or against
9 the proposition: "The constitutional amendment creating the Texas
10 Ethics Commission and authorizing the commission to recommend the
11 salary for members of the legislature and the lieutenant governor,
12 subject to voter approval, and to set the per diem for those
13 officials, subject to a limit."

S.J.R. No. 8

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 8 was adopted by the Senate on February 27, 1991, by the following vote: Yeas 26, Nays 3; May 27, 1991, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 27, 1991, House granted request of the Senate; May 27, 1991, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.J.R. No. 8 was adopted by the House, with amendment, on May 27, 1991, by the following vote: Yeas 148, Nays 0; May 27, 1991, House granted request of the Senate for appointment of Conference Committee; May 27, 1991, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 0, one present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

April 3, 1991

TO: Honorable Pete Laney, Chair
Committee on State Affairs
House of Representatives
Austin, Texas

IN RE: Senate Joint Resolution No. 8,
as engrossed
By: Glasgow

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8, as engrossed (proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would provide for the creation of the Texas Ethics Commission. The commission would have the powers and duties provided by law, would make recommendations for salaries of members of the Legislature and the Lieutenant Governor, and shall set the per diem for members of the Legislature and the Lieutenant Governor, subject to a limit.

The resolution could be implemented by Senate Bill No. 1 or similar legislation.

The fiscal implications of potential salary rate changes and per diem changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, LC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

February 27, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Committee Substitute for
Senate Joint Resolution No. 8

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Ethics Commission and to authorize the commission to recommend the salary of members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would provide for the creation of the Texas Ethics Commission. The commission would have the powers and duties provided by law, would make recommendations for salaries of members of the Legislature and the Lieutenant Governor, and shall set the per diem for members of the Legislature and the Lieutenant Governor, subject to a limit.

The resolution could be implemented by Senate Bill No. 1 or similar legislation.

The fiscal implications of potential salary rate changes and per diem changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

January 30, 1991

TO: Honorable Bob Glasgow, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution No. 8
By: Glasgow

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8 (proposing a constitutional amendment to establish the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of legislators, the lieutenant governor, and the speaker of the house of representatives) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment which, if adopted, would provide for the establishment of the Texas Elections and Ethics Commission to administer laws regulating elections and ethics and to prescribe the compensation of state legislators, the lieutenant governor, and the speaker of the House of Representatives.

The fiscal impact of potential salary rate changes cannot be determined.

The cost of publication of the resolution to the state is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;
LBB Staff: JO, JWH, DF, KVO, CKM

J.R.
S.B. No. 8_____
President of the Senate_____
Speaker of the House

I hereby certify that J.R. S.B. No. 8 ^{was adopted by} passed the Senate on February 27, 1991, by the following vote: Yeas 26, Nays 3; May 27, 1991, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 1991, House granted request of the Senate; May 27, 1991, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that J.R. S.B. No. 8 ^{was adopted by} passed the House, with amendments, on May 27, 1991, by the following vote: Yeas 148, Nays 0; May 27, 1991, House granted request of the Senate for appointment of Conference Committee; May 27, 1991, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 01. ^{100% present not voting}

Chief Clerk of the House

Approved:

Date_____
Governor

S.J.R. No. 8

By Glasgow

JOINT RESOLUTION

proposing a constitutional amendment to establish the Texas Elections and Ethics Commission

1-16-91 Filed with the Secretary of the Senate
JAN 16 1991 Read and referred to Committee on STATE AFFAIRS
FEB 26 1991 Reported favorably
FEB 26 1991 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
FEB 27 1991 Ordered not printed
FEB 27 1991 Laid before the Senate
FEB 27 1991 Senate and Constitutional Rules to permit consideration suspended by: { ~~unanimous consent~~ 29 yeas, 0 nays
FEB 27 1991 Read second time, _____, and ordered engrossed by: { ~~unanimous consent~~ a viva voce vote
_____ yeas, _____ nays
FEB 27 1991 Caption ordered amended to conform to the body of the bill.
FEB 27 1991 Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 0 nays.
FEB 27 1991 Read third time, _____, and passed by: 26 yeas, 3 nays

Betty King

SECRETARY OF THE SENATE

OTHER ACTION:

FEB. 27, 1991 Engrossed
Feb. 28, 1991 Sent to House

MAY 27 1991
MOTION TO SUSPEND ALL NECESSARY RULES IN ORDER TO TAKE UP AND CONSIDER AT THIS TIME SSR 2 PREVAILED BY NON-RECORD VOTE.

Engrossing Clerk Patsy Saw

FEB 28 1991 Received from the Senate
MAR 4 1991 Read first time and referred to Committee on State Affairs
21 May 91 Reported favorably amended, sent to Printer 4:00pm 22 May 91
MAY 22 1991 Printed and Distributed 9:04p
23 May 91 Sent to Committee on Calendars 6:11p
MAY 27 1991 Read Second time (amended) and finally adopted
MAY 27 1991 failed adoption by Record Vote of 148 yeas, 0 nays 0 present not voting.
MAY 27 1991 Read third time (amended) and finally adopted
MAY 27 1991 failed adoption by Record Vote of _____ yeas, _____ nays _____ present not voting.
MAY 27 1991 Caption ordered amended to conform to body of bill.
MAY 27 1991 Returned to Senate.

Betty Murray

CHIEF CLERK OF THE HOUSE

MAY 27 1991 Returned from House without amendment.
MAY 27 1991 Returned from House with _____ amendments.
MAY 27 1991 Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

MAY 27 1991

Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

Senate conferees instructed.

MAY 27 1991

Senate conferees appointed: Glasgow, Chairman; Ratliff
Carriker, Moncrief, and Turner

5-27-91

House granted Senate request. House conferees appointed: Gibson, Chairman;
Hury, Raney, Wells, Crawford

MAY 27 1991

Conference Committee Report read and filed with the Secretary of the Senate.

Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

MAY 27 1991

Conference Committee Report adopted on the part of the Senate by: _____

{ ~~a viva voce vote~~
30 yeas, 1 nays

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged.

Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

91 MAY 22 PM 9:04

HOUSE OF REPRESENTATIVES

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